

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address

FOR COURT USE ONLY

☒ **Individual appearing without attorney**
☐ **Attorney for:**

In re:

CASE NO.: 1:19-bk-11927-MT

CHAPTER: 7

Debtor(s).

NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: 02/26/2020

Time: 10:00 am

Location: Ctrm. 302 U.S. Bankruptcy Court, 21041 Burbank Blvd., Woodland Hills, CA 91367

Last date to file objections: 02/12/2020

Oxen Motion Inc., a California corporation (the "Corporation") operates a pilates fitness studio under a non-exclusive license to practice the Lagree Fitness Method, among others, located at 19723 Rinaldi Street, Porter Ranch, California 91326 and doing business as Pilates Plus Porter Ranch (the "Studio"). The Corporation and Studio are collectively referred to as the "Business"

"AS-IS, WHERE-IS" basis, for a sales price of \$50,025.00 (the "Sales Price")

Proposed sale price: \$ 50,025.00

Overbid procedure (if any): See Attached.

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Date & Time: February 26, 2020 at 10:00 a.m.

Location: Ctrm. 302, U.S. Bankruptcy Court, 21041 Burbank Blvd., Woodland Hills, CA 91367

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Nancy Hoffmeier Zamora, Chapter 7 Trustee
U.S. Bank Tower
633 West 5th Street, Suite 2600, Los Angeles, CA 90071
Tel. 213-488-9411; Fax 213-488-9418
e-mail: zamora3@aol.com

Date: 02/12/2020

1 A. Each potential bidder (other than Buyer as defined in the
2 Motion for Order Authorizing Trustee to Sell Personal Property,
3 Subject to Overbid (the "Motion")) in order to qualify as a bidder
4 ("Qualified Bidder") at the hearing on the Motion (the "Hearing"),
5 shall

6 (1) submit to Trustee at least one (1) business day prior to
7 the Hearing a wire transfer or cashier's check made payable to
8 Trustee in a sum that is equal to the purchase price of \$50,025.00
9 (the "Purchase Price") plus the initial overbid of ten percent
10 (10%) of the Purchase Price (\$5,002.50) (the "Deposit") that
11 Trustee shall deposit into the Estate's bank account and hold the
12 Deposit in trust pending the Court's approval of sale of the
13 Estate's right, title, and interest, if any, in the Business (as
14 defined in the Motion and the Purchase and Sale Agreement attached
15 to the Motion), and shall provide evidence of the financial ability
16 and immediate availability of liquid funds to tender the balance of
17 the anticipated highest bid of such Qualified Bidder;

18 (2) bid on the identical terms as Buyer including, but not
19 limited to, an "AS-IS, WHERE-IS" basis, with no representations or
20 warranties regarding the Business, and with no contingencies;

21 (3) attend the Hearing to participate in the bidding
22 (including telephonic appearance via CourtCall); and

23 B. The initial overbid shall be equal to or more than
24 \$55,027.50, i.e., at least ten percent (10%) more than the Purchase
25 Price of \$50,025.00, and all additional overbids must be made in
26 minimum increments of \$5,000.00 over the last stated overbid made
27 on the record.

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1 If the Highest Bidder fails to close the sale on or before the
2 Closing Date (as defined in the Agreement), the Highest Bidder
3 shall forfeit the Deposit to Trustee and the back-up bidder (the
4 "Back-up Bidder"), if one has been approved in the Court's sale
5 order (the "Sale Order"), shall, within five (5) business days of
6 written notification, transmitted via facsimile and/or e-mail, of
7 the Highest Bidder's default, pay the difference between the Back-
8 up Bidder's Deposit held by Trustee and Back-up Bidder's highest
9 bid at the Hearing. If the Back-up Bidder defaults, then the Back-
10 up Bidder shall forfeit to Trustee the Back-up Bidder's Deposit.

11 Trustee requests that if Buyer is not the Highest Bidder or
12 the Back-up Bidder, then and only then, Trustee shall be authorized
13 to refund to Buyer, within five (5) days after entry of the Sale
14 Order, the Purchase Price of \$50,025.00 tendered by Buyer to
15 Trustee on January 24, 2020. Trustee also requests the Court's
16 approval to refund to each Qualified Bidder who is not approved as
17 the Highest Bidder or the Back-up Bidder, such Qualified Bidder's
18 Deposit within five (5) days after entry of the Sale Order.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

U.S. Bank Tower, 633 West 5th Street, Suite 2600, Los Angeles, CA 90071

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 02/12/2020, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

United States Trustee: United States Trustee (SV), ustregion16.wh.ecf@usdoj.gov
Trustee: Nancy Zamora, zamora3@aol.com, nzamora@ecf.epiqsystems.com
Debtor's Counsel: Keith S. Dobbins, keith@kdobbinslaw.com
Creditor's Counsel: Ketan G. Sawarkar, ketan.sawarkar@americaninfosource.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 02/12/2020, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor: Vardui Vanessa Aleksanyan, 21021 Erwin St., #289, Woodland Hills, CA 91367
Proposed Buyer's Counsel: Julian Garsdean, c/o Ovsanna Takvoryan, Esq., Partner, Sichenzia Ross Ference LLP, 10866 Wilshire Blvd., Suite 1560, Los Angeles, CA 90024
Trustee's CPA: Sam Biggs, CPA, SLBIGGS, 10960 Wilshire Blvd, 7th Floor, Los Angeles, CA 90024
U.S Trustee: Kate Bunker, Esq., Office of the United States Trustee, 915 Wilshire Blvd., Suite 1850, Los Angeles, CA 90017
Judge: The Honorable Maureen Tighe, U.S. Bankruptcy Court, 21041 Burbank Boulevard, Suite 324, Woodland Hills, CA 91367

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 02/12/2020, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

02/12/2020
Date

Cynthia Casas
Printed Name

/s/ Cynthia Casas
Signature